



**MONTGOMERY COUNTY PLANNING DEPARTMENT**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

June 27, 2013

David Dahlstrom, AICP  
Maryland Department of Planning  
301 W. Preston Street, Suite 1101  
Baltimore, Maryland 21201-2305

**SUBJECT:** 2012 Annual State Land Use Report for Montgomery County

Dear Mr. Dalhstrom:

I am pleased to submit the 2012 Annual State Land Use Report for Montgomery County, which satisfies the requirements established recently by SB 280/HB 295, SB 276/HB 295, and SB 273/HB 294.

The report was presented to and approved by the Montgomery County Planning Board on June 13, 2013. The report was also filed with a local jurisdiction's legislative body, specifically the Montgomery County Council, on June 26, 2013.

For technical questions about the 2012 Annual State Land Use Report for Montgomery County report, please contact Jay Mukherjee at 301-650-5646 or [jay.mukherjee@montgomeryplanning.org](mailto:jay.mukherjee@montgomeryplanning.org)

Sincerely,

Jay Mukherjee  
GIS Specialist  
Center for Research and Information Systems  
MNCPPC – Montgomery Planning Department

**Attachment:** 2012 Annual State Land Use Report for Montgomery County

# Annual Report Worksheet

## Reporting Year 2012

Jurisdiction Name: **Montgomery County**

Planning Contact Name: **Jay Mukherjee**

Planning Contact Phone Number: **301-650-5640**

Planning Contact Email: **[jay.mukherjee@montgomeryplanning.org](mailto:jay.mukherjee@montgomeryplanning.org)**

---

### Section I: Amendments and Growth Related Changes in Development Patterns

(A) Were any new comprehensive plan or plan elements adopted?

Y ☒ N ☐

1. If no, go to (B).
2. If yes, briefly summarize what was adopted.

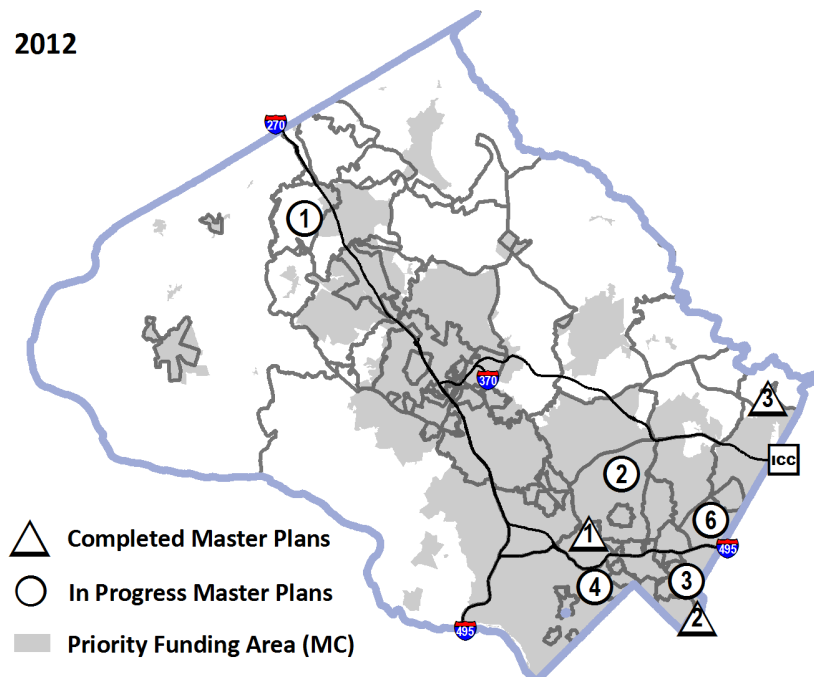
#### Adopted 2012:

Burtonsville Crossroads Neighborhood Plan (3)  
Kensington Sector Plan (1)  
Takoma/Langley Crossroads Sector Plan (2)  
Subdivision Staging Policy 2012  
Rural Open Space Policy 2012  
Park Recreation Open Space Master Plan 2012

#### Plans in Progress 2012:

Chevy Chase Lake Sector Plan (4)  
Clarksburg Ten Mile Creek Limited Master Plan Amendment (1)  
Glenmont Sector Plan (2)  
Long Branch Sector Plan (3)  
White Oak Science Gateway Master Plan (6)  
Countywide Transit Corridors Functional Plan

2012



## Annual Report Worksheet Reporting Year 2012

(B) Were there any growth related changes in development patterns?

Y ☒ N ☐

*(Note: Growth related changes in development patterns are changes in land use, zoning, transportation capacity improvements, new subdivisions, new schools or school additions, or changes to water and sewer service areas.)*

1. If no, go to (C).
2. If yes, briefly summarize each growth related change(s).

- **Septic Tiers map adopted by Montgomery County in response to the State "Sustainable Growth & Agricultural Preservation Act of 2012"**

A web map was adopted depicting our septic tiers that guide our approval of future subdivision plans at:

[http://www.montgomeryplanning.org/gis/interactive/septic\\_tiers.shtm](http://www.montgomeryplanning.org/gis/interactive/septic_tiers.shtm)

- Tier I: Areas currently served by sewer
- Tier II: Future Growth Areas planned for sewer
- Tier III: Large Lot Development and "Rural Villages" on septic systems
- Tier IV: Preservation and Conservation Areas. No Major subdivisions on septic - except if a County has received an exemption (Montgomery County has received an exemption due to our efforts to reduce the potential for such development.)

- **Transportation capacity improvements:**

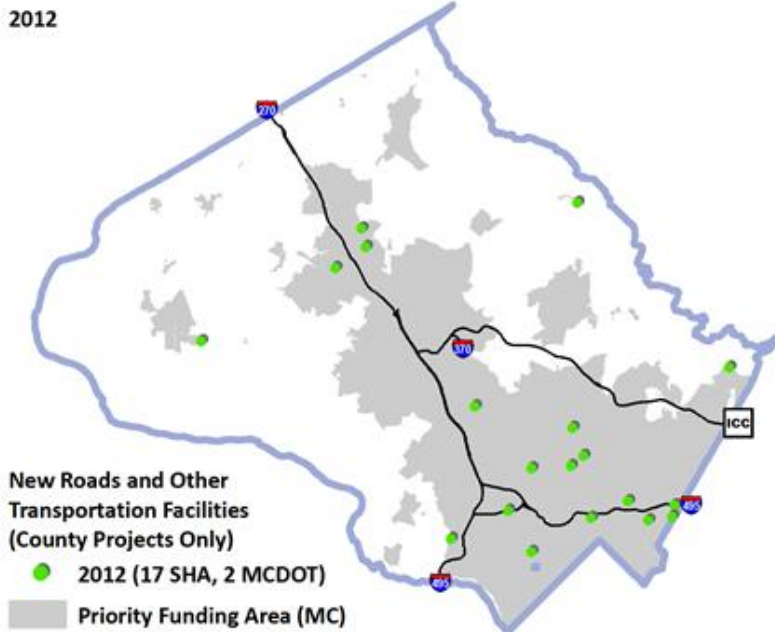
Project Name	Agency	Accepted for Maintenance	Status
MD 200 Inter-County Connector	SHA		Done
MD 118 at Wisteria Drive and Middlebrook Road	SHA	7/17/2012	
MD 193 from Arcola to US 29	SHA	in process of being accepted	
MD 355 at MD 118	SHA	in process of being accepted	
MD 355 at MD 27	SHA	10/25/2012	
MD 650 Ramp F over I-495 Bridge #1513900	SHA	10/25/2012	
MD 320 from D.C. Line to MD 193	SHA	in process of being accepted	
MD 190 Bridge over Cabin John	SHA	10/4/012	
MD 187 from MD 355 to Northbrook Lane	SHA	in process of being accepted	
MD 586 from Andrew Street to MD 193	SHA	8/2/2012	
I-270 from I-495 to .3 miles south of MD 187	SHA	10/18/2012	
MD 650 at Adelphi	SHA	7/12/2012	
MD 97 from Glenallan Avenue to MD 185	SHA	in process of being accepted	
MD 107 at Partnership	SHA		Done
I-495 from Seminary Road to US 20	SHA		Done
MD 198 at Dino Drive	SHA		Done

# Annual Report Worksheet Reporting Year 2012

## Transportation capacity improvements (continued)

MD 355 at East Middle Lane	SHA	Done
MD 650 at MD 97	SHA	Done
Nebel Street Extension	MCDOT	Done
Henderson Ave Storm Drain	MCDOT	Done

**Source:** Montgomery County Planning Department - MNCPPC, Transportation CIP 2012



- New schools or additions to schools**

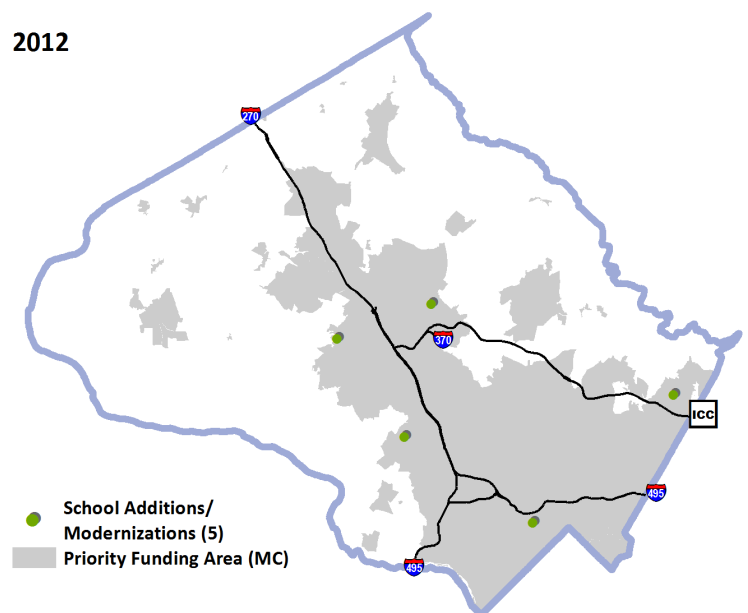
FY 2012 - No new Schools, 5 additions/modernizations

**Source:** Montgomery County Public Schools FY 12 Educational Facilities Master Plan

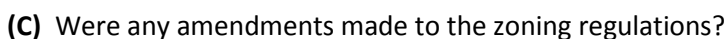
## Schools modernizations:

Cold Spring ES  
North Chevy Chase ES  
Paint Branch HS  
Ridgeview MS  
Washington Grove ES

**2012**



- **31 New subdivision created**



1. If no, go to (D).
2. If yes, briefly summarize any amendments that resulted in changes in development patterns.

<http://www.montgomeryplanning.org/development/zoning/>

## Zoning Text Amendment No. 12-18: Pre-1928 Property

- Provide an exemption from current zoning standards for pre-1928 property that resubdivide.

- Amend the minimum lot area required for the Country Inn zone.

## **Annual Report Worksheet Reporting Year 2012**

### **Zoning Text Amendment No. 12-16: Recorded Lots; Pre-1928**

An Amendment to the Montgomery County Zoning Ordinance to:

- Allow the construction of a one-family dwelling located on any size lot recorded before 1928; allow the reconstruction of any one-family dwelling located on any size lot recorded before 1928; and generally revise the grandfathering provisions for undersized lots.

### **Zoning Text Amendment No. 12-15: Guest House Regulations**

An Amendment to the Montgomery County Zoning Ordinance to:

- Add conditions necessary for defining a guest house.

### **Zoning Text Amendment No. 12-14: Bikeshare Facility - Incentive**

An Amendment to the Montgomery County Zoning Ordinance to:

- Amend the Zoning Ordinance to define bikeshare facility; allow a building permit for a bikeshare facility under certain circumstances without a requirement for conformance to an approved site plan; and generally amend the provision concerning permits exempt from conforming to an approved site plan.

### **Zoning Text Amendment No. 12-13: Impervious Surface Limits-RC Zone**

An Amendment to the Montgomery County Zoning Ordinance to:

- Amend the RC zone to establish impervious surface limits where specifically recommended in the area master or sector plan.

### **Zoning Text Amendment No. 12-12: Density Transfer - C-2 to CBD Zones**

An Amendment to the Montgomery County Zoning Ordinance to:

- Allow the transfer of development density from C-2 zoned lots adjoining or confronting one-family zoning to Density Transfer Areas in CBD zones.

### **Zoning Text Amendment No. 12-11: Accessory Apartments - Amendments**

An Amendment to the Montgomery County Zoning Ordinance to:

- Revise the requirements for permitting accessory apartments in order to allow them by right under certain circumstances and under certain quantifiable standards and conditions.

### **Zoning Text Amendment No. 12-10: Established Building Line - Clarification**

An Amendment to the Montgomery County Zoning Ordinance to:

- Amend the provisions for determining the established building line; and amend the applicability of the established building line requirement.

### **Zoning Text Amendment No. 12-09: Planned Development (PD) Zones - Hotels**

An Amendment to the Montgomery County Zoning Ordinance to:

- Allow hotels in high density planned development zones; and generally amend the provision for commercial uses in PD zones.



## **Annual Report Worksheet Reporting Year 2012**

### **Zoning Text Amendment No. 12-08: Transit Station Zones - Minimum Area**

An Amendment to the Montgomery County Zoning Ordinance to:

- Revise the conditions for reducing the minimum lot size of any development in the TSR and TSM zones.

### **Zoning Text Amendment No. 12-07: Special Exceptions - Automobile Filling Station**

An Amendment to the Montgomery County Zoning Ordinance to:

- Revise the special exception standards for the approval of an automobile filling station.

### **Zoning Text Amendment No. 12-06: C/R Zones – Transit Proximity Definition**

An Amendment to the Montgomery County Zoning Ordinance to:

- Amend the definition of transit proximity for CR, CRN, and CRT zones.

### **Zoning Text Amendment No. 12-05: Commercial/Residential Zones - Grandfathering**

An Amendment to the Montgomery County Zoning Ordinance to:

- Apply the grandfathering provisions of CR zones to CRT and CRN zones; and revise the grandfathering provision for projects with a previously approved special exception.

### **Zoning Text Amendment No. 12-04: Site Plans - Surety**

An Amendment to the Montgomery County Zoning Ordinance to:

- Allow developers to provide additional forms of surety to insure the completion of site plan elements; and clarify the language to state that the surety being required by the Planning Board covers only certain certified site plan elements.

### **Zoning Text Amendment No. 12-03: Agricultural Zones - Wineries**

An Amendment to the Montgomery County Zoning Ordinance to:

- Revise the definition of a winery; and revise the number of public events that a winery can hold annually as of right in certain zones.

### **Zoning Text Amendment No. 12-01: Commercial zones - Large Retail Uses**

An Amendment to the Montgomery County Zoning Ordinance to:

- Establish additional requirements in the C-4 zone for retail uses of a certain size located within one-half mile of a metro station.

### **Subdivision Regulation Amendment No. 12-04: Minor Subdivisions - Ownership Lots**

An Amendment to the Montgomery County Subdivision Regulations to:

- Clarify the provisions for ownership lots in the minor subdivision process.

## Annual Report Worksheet Reporting Year 2012

### **Subdivision Regulation Amendment No. 12-03: Minor Subdivisions - Part of a Lot**

An Amendment to the Montgomery County Subdivision Regulations to:

- Authorize the approval and recordation of a plat for certain properties classified in a one-family residential zone under the minor subdivision procedure under certain circumstances.

### **Subdivision Regulation Amendment No. 12-02: Platting Exemptions - Community Legacy Plan Areas**

An Amendment to the Montgomery County Subdivision Regulations to:

- Exempt small commercial additions in Community Legacy Plan areas, near new roads, and adjoining state highways from subdivision requirements.

### **Subdivision Regulation Amendment No. 12-01: Preliminary Plan - Approval Procedure**

An Amendment to the Montgomery County Subdivision Regulations to:

- Establish growth tiers under Maryland's Sustainable Growth and Agricultural Preservation Act of 2012; add provisions for the approval of subdivisions within the growth tiers; and generally amend provisions concerning the subdivision of land to avoid negative consequences to landowners from the implementation of Maryland's Sustainable Growth and Agricultural Preservation Act of 2012.

(D) Were any amendments made to the zoning map?

Y ☒ N ☐

1. If no, go to *Section II: Mapping and GIS Shapefiles*.
2. If yes, briefly summarize each amendment(s).

### **The following are LMAs and SMAs reviewed in 2012:**

#### **Local Amendment G-908**

Property ID: 07-00488086

From: R-60

To: TS-R

Council Resolution: 17-570

#### **Local Map Amendment G-909**

Property ID: 07-00524265; 07-00524653; 07-00524276; 07-00524378

From: R-60

To: TS-R

Council Resolution: 17-555

#### **Local Map Amendment G-910**

Property ID: 07-00524265; 07-00524653; 07-00524276; 07-00524378

From: R-60

To: TS-R



## Annual Report Worksheet Reporting Year 2012

Council Resolution: 17-555

### Local Map Amendment G-912

Property ID: Withdrawn

From:

To:

Council Resolution: 17-585

### Sectional Map Amendment G-911 (corresponds to Wheaton CBD & Vicinity Sector Plan)

Property ID: Multiple

From: Multiple Zones

To: Multiple Zones

Council Resolution: 17-394

### Sectional Map Amendment G-914 (corresponds to Kensington Sector Plan)

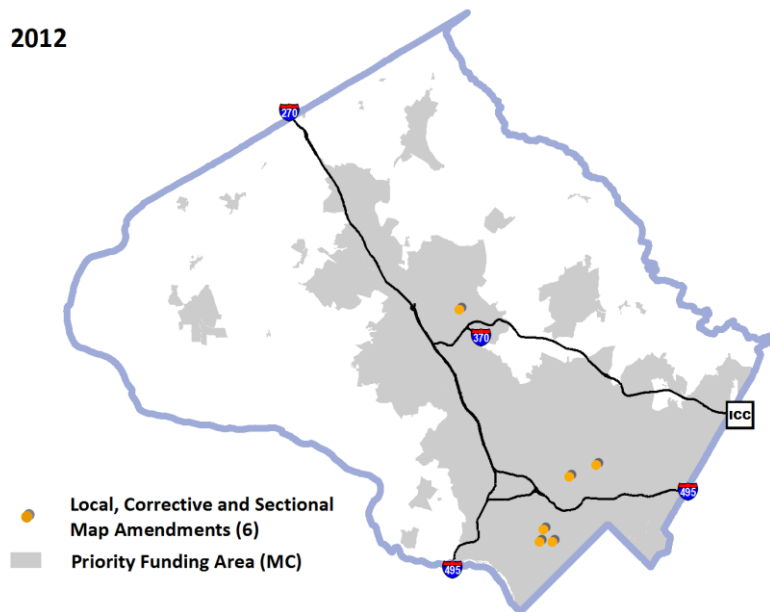
Property ID: Multiple

From: Multiple Zones

To: Multiple Zones

Council Resolution: 17-570

2012



## Annual Report Worksheet Reporting Year 2012

### Section II: Mapping and GIS Shapefiles

(A) Does your jurisdiction utilize GIS to prepare planning related maps? Y ☒ N ☐

1. If no, include an address, parcel identification number or other means to identify the type and location of all new growth related changes or zoning map amendments listed in *Sections I(B)* and *I(D)*. Provide a paper map(s) that indexes the general location(s) of the growth related changes or zoning map amendment(s). *Contact MDP for mapping assistance.*
2. If yes, include a map(s) of the location(s) of the amendment(s) and submit applicable GIS shapefiles for all new growth related changes and zoning map amendments listed in *Sections I(B)* and *I(D)*. GIS shapefiles may be uploaded on the online Annual Report Webtool or via email or cd/dvd disk.

**See Report Above for Maps**  
**GIS data uploaded to MDP**

(B) Were there any growth related changes identified in *Sections I(B)* ? Y ☒ N ☐

1. If no, go to (C).
2. If yes, then include GIS shapefiles and map(s), that identify the location of each growth related change identified in *Section I(B)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s).

**See Report Above for Maps**  
**GIS data uploaded to MDP**

(C) Were there any zoning map amendments identified in *Section I(D)*. Y ☒ N ☐

1. If no to (A) and (B), skip to *Section III: Consistency of Development Changes.*
2. If yes, then include GIS shapefiles and map(s), that identify the location of each zoning map amendment identified in *Section I(D)*. If your jurisdiction does not utilize GIS then clearly identify the growth related changes on a map(s). *Contact MDP for mapping assistance.*

**See Report Above for Maps**  
**GIS data uploaded to MDP**

## Annual Report Worksheet Reporting Year 2012

### Section III: Consistency of Development Changes

(A) Were there any growth related changes identified in *Sections I(B) - (D)*? Y ☒ N ☐

1. If no, skip to *Section IV: Planning and Development Process*.
2. If yes, go to (B).

(B) For each growth related change listed in in *Sections I(B) - (D)*, state how the development changes were determined to be consistent with:

1. Each other;

The changes in development patterns for Montgomery County in 2012 are consistent with one another, guided by our General Plan and the specific community and functional plans adopted by the County Council. Subdivision approvals, Septic tiers and zoning changes all point to reserving agricultural areas and direct development to existing areas. All zoning density increases that were adopted in 2012 direct development to existing areas within our PFA.

2. Any recommendations of the last annual report;

The Department made no recommendations in the MDP land-use report for calendar 2011.

3. The adopted plans of the local jurisdiction;

Each legislative change referenced in items 1c, 1d and 1e found in this report is in accordance with Montgomery County Planning Department procedural standards for reviewing Master Plans, ZTAs, and other land use policies for conformity to General Plan.

4. The adopted plans of all adjoining jurisdictions;

As part of the Maryland National Capital Park and Planning Commission (MNCPPC), Montgomery County planning initiatives are coordinated with Prince George's County via regular meetings of the MNCPPC Planning Commission. The Commission consists of ten members, five from Montgomery County and five from Prince George's County. The Commission coordinates and acts on matters of interest to both counties, and meets at least once a month. The members of the Commission from each county serve as separate Planning Boards to facilitate, review and administer the matters affecting their respective counties.

Montgomery County actively participates in the Patuxent Reservoir watershed protection efforts with Howard and Prince Georges Counties. This rural watershed that drains to our drinking water reservoirs is protected by low densities, special environmental guidelines and public parkland. There is limited land use coordination with Virginia, which is separated from Montgomery County by the Potomac River, with only one bridge crossing.

## **Annual Report Worksheet**

### **Reporting Year 2012**

Montgomery and Prince George's County are the second and third largest counties in the State. Commission efforts constitute local County level planning efforts for roughly 32% of Maryland's population.

Montgomery County actively participates in joint planning analysis efforts with the Washington Councils of Governments (MWCOC). A primary effort with MWCOC is the development of the region's demographic forecast of housing, jobs, and population. The process offers a forum for member jurisdictions to anticipate collective impacts of local land use change on the metro region's economy and population. This forecasting effort also serves as a primary input into the regional transportation modeling process. In 2009 and 2010, the Montgomery County Planning Department participated in MWCOC's Region Forward, a regional campaign to encourage area leaders and residents to work together to create a more accessible, sustainable, prosperous, and livable region.

5. Any adopted plans of the State and local jurisdictions that have responsibility for financing or constructing improvements necessary to implement the jurisdiction's plan.

# Annual Report Worksheet

## Reporting Year 2012

### Section IV: Planning and Development Process

(A) Did your jurisdiction identify any recommendations for improving the planning and development process within the jurisdiction?

Y ☒ N ☐

1. If no, go to (B).

2. If yes, what were those recommendations?

The Montgomery County Planning Department continued to add regulatory workflow processes to our ProjectDox plan review system. The next plan type workflow; 'Site Plans' has now been implemented in this system. Additional plan types will also be implemented in the coming year, such as record plat review, and Natural Resource Inventories.

This system streamlines interagency interactions by establishing a paperless electronic venue for multiple actors in the development and regulatory communities to interact.

(B) Did your jurisdiction adopt any ordinances or regulations needed to implement the 12 planning visions under [§1-201 of the Land Use Article](#)?

Y ☒ N ☐

1. If no, go to *Section V: Measures and Indicators*.

If yes, what were those changes?

Each Montgomery County 2012 process improvement and comprehensive plan amendment promotes multiple elements of the State of Maryland's planning visions. The following matrix indicates how each Planning Vision element is associated with the three initiatives that best correspond to County initiatives primary effect on sustainable development. "Process improvements" are not ordinance or regulatory changes; process improvements have been flagged with an asterisk ("\*")

	Article 66B Land Use	Subdivision Staging Policy	CR Zone	Proposed Zoning Re- write*	Master Plan Staging	Housing Element	Purple Line*
1	Quality of Life	x	x			x	
2	Public Participation			x	x		
3	Growth Areas	x	x		x		
4	Community Design	x	x	x			
5	Infrastructure	x	x		x		
6	Transportation	x			x		x
7	Housing	x	x			x	
8	Economic Development	x	x		x		
9	Environment Protection			x			
10	Resource Conservation		x		x		
11	Stewardship	x		x			
12	Implementation	x	x		x		

## Annual Report Worksheet Reporting Year 2012

### Section V: Measures and Indicators

(Note: The Measures and Indicators Sections (D) – (G) are only required for jurisdictions issuing more than 50 new residential building permits in the reporting year).

- (A) In the **Total** column in *Table 1, New Residential Permits Issued (Inside and Outside the PFA)* in (C) below, enter the total number of new residential building permits issued in 2012. Enter 0 if no new residential building permits were issued in 2012.

*(Note: For annual reporting purposes, tabulate the amount of new residential building permits issued at time your jurisdiction has granted the ability for a new residential unit to be constructed. It does not mean that the unit has been constructed, will be constructed, or is occupied. If your local definition of building permit varies, please indicate the definition used to tabulate new residential building permits.)*

- (B) In the **PFA** column in *Table 1*, enter the total number of permits issued inside the Priority Funding Area (PFA). Enter 0 if no new residential building permits issued inside the PFA in 2012.
- (C) In the **Non-PFA** column in *Table 1*, enter the total number of permits issued outside the PFA. Enter 0 if no new residential building permits issued outside the PFA in 2012.

**Table 1: New Residential Permits Issued (Inside and Outside the PFA)**

<u>Residential</u>	PFA	Non - PFA	Total
# New Residential Permits Issued	967	124	1,091

- (D) If the **Total** number of new residential permits in *Table 1* is less than 50, then *Tables 2A and 2B* are optional and can be used to locally monitor changes less than 50 permits. Skip to (E) if the **Total** number of new residential permits in *Table 1* is 50 or more.

**Table 2A: Amount of Residential Growth (Inside and Outside the PFA)**

<u>Residential</u>	PFA	Non - PFA	Total
# Units Approved	4,325	11	4,336
# Units Constructed	1,302	318	1,620
# Minor Subdivisions Approved	5	1	6
# Major Subdivisions Approved	12	2	14
Total Approved Subdivision Area (Gross Acres)	175.7	54.4	230.1
# Lots Approved	216	11	227
Total Approved Lot Area (Net Acres)	N/A*	N/A*	N/A*



## Annual Report Worksheet Reporting Year 2012

**Table 2B: Amount of Commercial Growth (Inside and Outside the PFA)**

<u>Commercial</u>	PFA	Non - PFA	Total
# New Permits Issued	48	13	61
# New Lots Approved	27	3	30
Total Square Feet Approved (Gross)	2,347,714	88,049	2,435,763
Total Square Feet Constructed (Gross)	2,123,827	147,102	2,270,929

(E) Were more than **50** new residential building permits issued in 2012? Y ☒ N ☐

- If no, then the remainder of this Section is optional. Skip to *Section VI: Locally Funded Agricultural Land Preservation*.
- If yes, then complete *Tables 3-5* for Residential Growth and *Tables 6-8* for Commercial Growth in (F) and (G) below.

**(F) Amount, Net Density and Share of Residential Growth:**

*(Note: To calculate the amount, net density and share of residential growth, jurisdictions must identify the total number of new residential building permits issued; the total number of new residential units approved; the total number of new residential lots approved; the total approved gross acreage of new residential subdivisions; and net lot area. A number of values are repeated in Tables 1-5. Be sure to enter consistent values for each similar category used in these tables.)*

**Table 3: Amount of Residential Growth (Inside and Outside the PFA)**

<u>Residential</u>	PFA	Non - PFA	Total
# Permits Issued	967	124	1,091
# Units Approved	4,325	11	4,336
# Units Constructed	889	856	1,745
Total Approved Subdivision Area (Gross Acres)	175.7	54.4	230.1
# Lots Approved	216	11	227

## Annual Report Worksheet Reporting Year 2012

**Table 4: Net Density of Residential Growth (Inside and Outside the PFA)**

<u>Residential</u>	PFA	Non – PFA	Total
# Units Approved	4,325	11	4,336
Total Approved Lot Size (Net Acres)	NA*	NA*	NA*

**Table 5: Share of Residential Growth (Inside and Outside the PFA)**

<u>Residential</u>	PFA	Non – PFA	Total
# Units Approved	4,325	11	4,336
% of Total Units (# Units/Total Units)	99.7%	0.3%	100%

\* We are unable to provide lot net acres for approved subdivisions. This information is not captured, in our system and we did not have enough time to capture this information from plan drawings for all approved subdivisions this year.

**(G) Amount, Net Density and Share of Commercial Growth:**

*(Note: To calculate the amount, net density and share of commercial growth, jurisdictions must identify the total number of new commercial permits issued; the total square footage of the commercial building approved; the total number of new commercial lots approved; and the total approved subdivision net lot area, in acres, for commercial subdivisions. The total building square footage and total lot size values should be the same for Tables 6-8. For annual report purposes, all approved square footage (gross) should be tabulated, with the understanding that not all building square footage reported may be used for commercial or retail related activities. Commercial growth should include retail, office, hotel, industrial uses and may include other uses, such as, mixed-use, institutional and agricultural structures, if approved for commercial use.)*

**Table 6: Amount of Commercial Growth (Inside and Outside the PFA)**

<u>Commercial</u>	PFA	Non - PFA	Total
# Permits Issued	48	13	61
Building Square Feet (Gross)	2,347,714	88,049	2,435,763
# Lots Approved	27	3	30
Total Subdivision Area (Gross Acres)	132.4	32.9	165.3

**Table 7: Net Density of Commercial Growth (Inside and Outside the PFA)**

<u>Commercial</u>	PFA	Non – PFA	Total
Building Square Feet (Gross)	2,347,714	88,049	2,435,763
Total Lot Size (Net Acres)	N/A*	N/A*	N/A*

# Annual Report Worksheet

## Reporting Year 2012

Table 8: Share of Commercial Growth (Inside and Outside the PFA)

<u>Commercial</u>	PFA	Non – PFA	Total
Building Square Feet (Gross)	2,347,714	88,049	2,435,763
% of Total Building Sq. Ft. (Bldg. Sq. Ft./Total Sq. Ft.)	96.4%	3.6%	100%

## Annual Report Worksheet Reporting Year 2012

### Section VI: Locally Funded Agricultural Land Preservation

**(A)** How many acres were preserved using local agricultural land preservation funding? Enter 0 if no acres were preserved using local funds.

As described, in 2012, 1,540 acres were preserved through the County's Transferable Development Rights program (TDR) and Building Lot Termination (BLT) program. This does not include the 113,949.3 acres of the Agricultural Reserve Area. The County participates in several other Agricultural Land Preservation programs, but 2012 figures are not yet available.

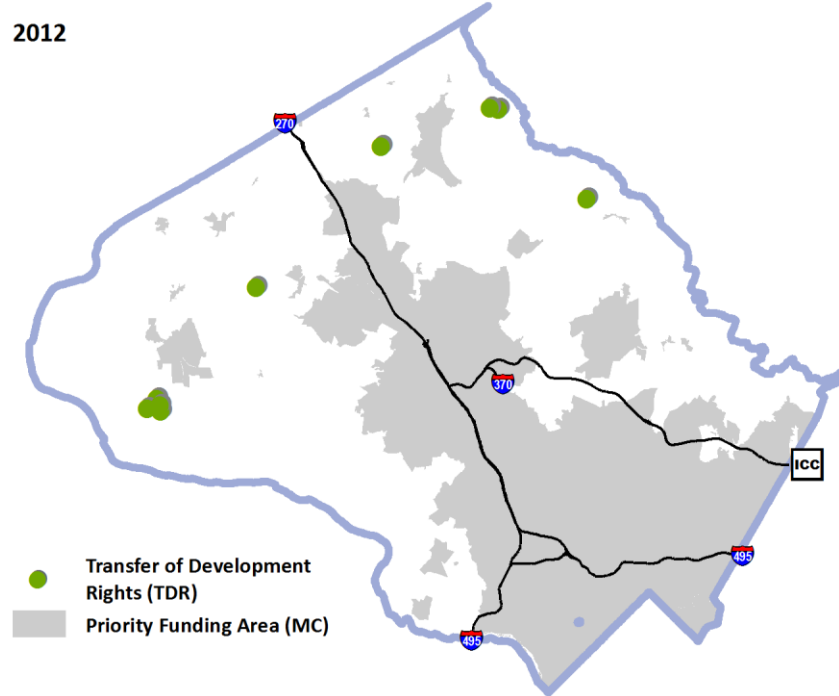
In 1980, Montgomery County took a significant step towards the preservation of agricultural land and open space by creating the Agricultural Reserve Area. The Rural Density Transfer (RDT) zone is the predominant zoning designation within the Agriculture Reserve; the RDT zone has a base density of one unit per 25 acres. At the same time that the RDT zone was established, TDR program was created. The TDR program granted property owners one development right for each five acres of land owned within the reserve. TDRs can be sold to landowners or developers who can use these rights to develop at a higher density in those areas zoned for receiving the higher densities elsewhere in the county. Many of the master plans include TDR zoning for the properties best suited for higher residential densities. Over 64,000 acres of land are held by TDR program participants. This means that over 64,000 acres are permanently preserved at one unit per 25 acres. The most recent TDR tacking report captures detailed information for the history of the program through 2007. Since 2007, the number of TDR's transfers has been minimal.

90 new **TDR** sending properties were recorded in 2012.

TAX ID	TDR	LOT SIZE (ACRES)
00921478	2	23.2
00039198	26	163.8
00924596	3	20.1
00924585	11	82.5
03547547	12	315.4
02930213	2	50.2
00034573	10	50.3
00002841	10	291.9
00028322	9	117.6
00091864	2	88.1
00028322	3	117.6

## Annual Report Worksheet Reporting Year 2012

2012



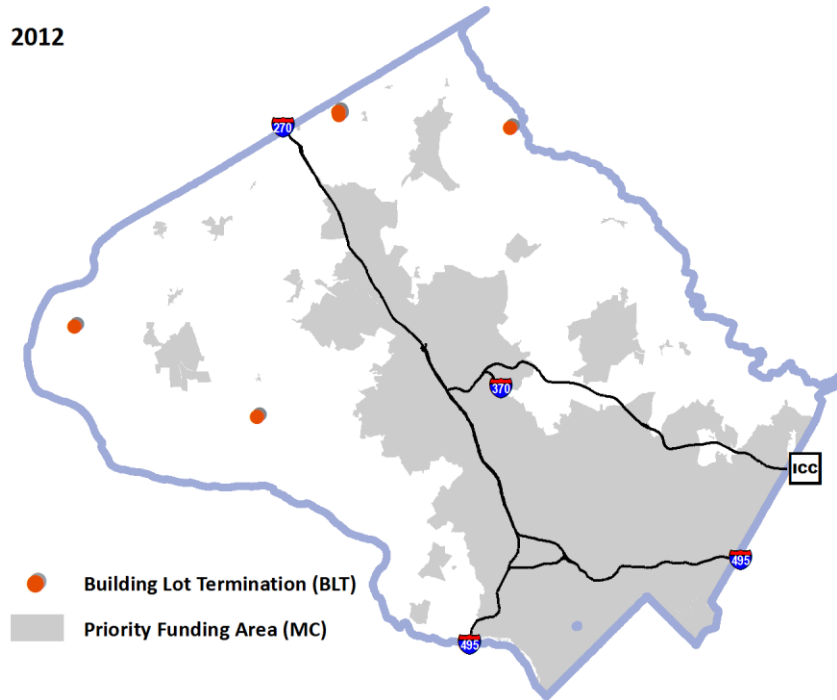
Source: MNCPPC "Serial Numbers for TDR Easements", April 2013

In addition, the County developed the BLT program to allow property owners in the Agricultural Reserve to sell the remaining development rights that allow up to 1 unit per 25 acres. Since these rights are more valuable, they can be sold at a higher price. 7 new **BLT** sending properties were recorded in 2012.

## Annual Report Worksheet Reporting Year 2012

TAX ID	BLT	LOT SIZE (ACRES)
03507930	2	53.4
00034961	1	65.7
01607947	1	25
01607958	1	25
01573625	1	25
00037270	1	25.6

2012





## Annual Report Worksheet

### Reporting Year 2012

The Agricultural Services Division of the County's Department of Economic Development has not yet posted 2012 information on the several other Agricultural Land Preservation programs available to farmers. A 2012 report summarizes County programs and acres of farmland protected through 2011:

PROGRAM	TOTAL ACRES PROTECTED
1. Maryland Agricultural Land Preservation Foundation (MALPF)	4,433
2. The Montgomery County Agricultural Easement Program (AEP)	8,176
3. Rural Legacy Program (RLP)	4,875
4. Maryland Environmental Trust (MET), and other private trust organizations.	2,086
5. Transferable Development Rights Program (TDRs)	52,052
6. Montgomery County Legacy Open Space Program (LOS)	0
7. Conservation Reserve Enhancement Program (CREP)	1,909*

\*CREP Contract Phase Only

# Annual Report Worksheet

## Reporting Year 2012

### Section VII: Local Land Use Preservation Percentage Goal

(A) Is all land within the boundaries of the jurisdiction in a PFA?

Y ☐

N ☒

1. If yes, then the local land use percentage goal does not need to be established. Skip to *Section VIII: Development Capacity Analysis*.
2. If no, then the jurisdiction must establish a local percentage goal to achieve the statewide land use goal to increase the current percentage of growth located inside the PFAs and decrease the percentage of growth located outside the PFAs. Go to (B).

(B) What is the jurisdiction's established local land use percentage goal? N/A%

The Department is unable to provide a specific preservation goal for this annual report cycle. The Department just adopted the "2012 Park Recreation and Open Space Plan" which highlights the inventory of preserved lands, and estimates the future needs for additional land preservation. We will work toward establishing a total goal for the next annual report.

(C) What is the timeframe for achieving the local land use percentage goal? N/A

(D) Has there been any progress in achieving the local land use percentage goal? N/A

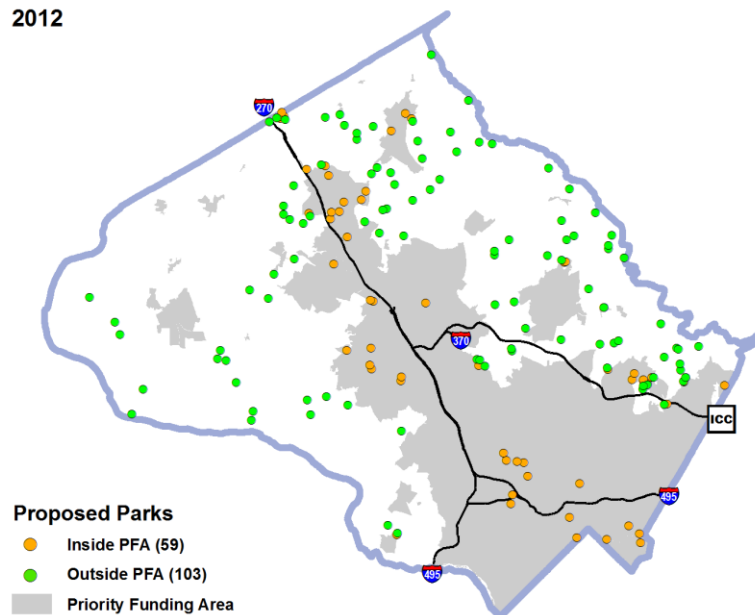
(E) What are the resources necessary for infrastructure inside the PFAs?

We have targeted 733 acres of proposed parks within the PFA for acquisition.

(F) What are the resources necessary for land preservation outside the PFAs?

We have targeted 5,740 acres of proposed parks outside the PFA for acquisition.

2012



## Annual Report Worksheet Reporting Year 2012

### Section VIII: Development Capacity Analysis (DCA)

- (A) Has an updated DCA been submitted with your Annual Report or to MDP within the last three years?

*(Note: A DCA is required every 3-years and whenever there is a significant change in zoning or land use pattern. See §1-208(c)(1)(iii) of the Land Use Article. A DCA may be submitted independently from the Annual Report, such as, part of a comprehensive plan update.)*

Y ☒ N ☐

1. If no, explain why an updated DCA has not been submitted, such as, no Substantial growth changes, etc.
2. If yes, then skip to (C):

*(Note: For additional guidance on how to conduct a Development Capacity Analysis, see the Estimating Residential Development Capacity Analysis Guidebook, August 2005, located in the Planning Guide section of the MPD website:*

<http://planning.maryland.gov/OurProducts/publications.shtml#ModelsGuidelines>

*MDP provides technical assistance to local governments in completing development capacity analyses. Please contact your MDP regional planner for more information.)*

- (B) When was the last DCA submitted? Identify Month and Year: July 1, 2012

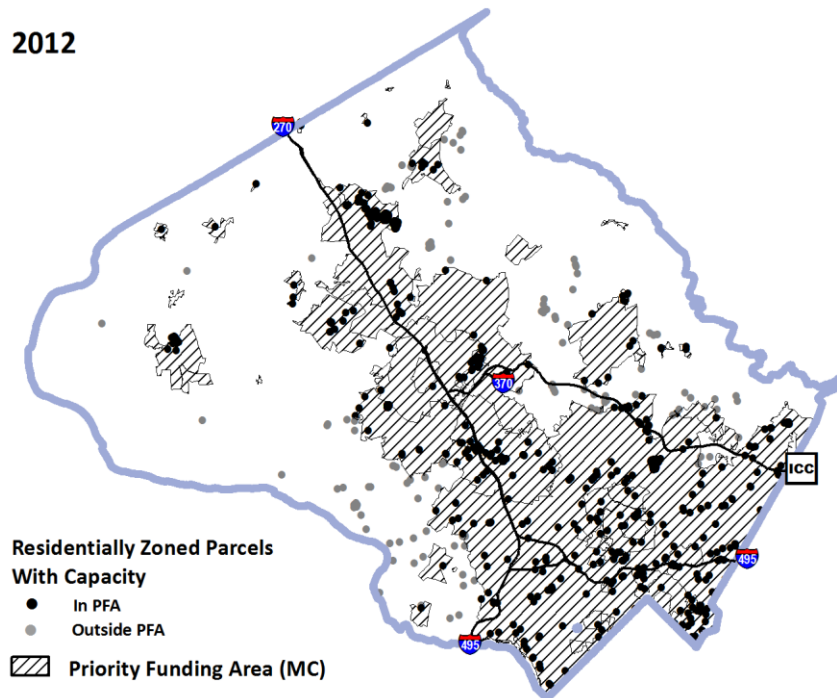
## Annual Report Worksheet Reporting Year 2012

(C) After completing the DCA, provide the following data on capacity inside and outside the PFA in *Table 9, Residential Development Capacity (Inside and Outside the PFA)*:

**Table 9: Residential Development Capacity (Inside and Outside the PFA)**

Parcels & Lots w/ Residential Capacity	PFA	Non – PFA	Total
Residentially Zoned Acres	68,715.3	36,013.2	104,728.5
Total Acres and Lots	124,979.5	193,222.8	318,202.3
Acres and Parcels with Capacity	505.2	337.3	842.5

2012



## Annual Report Worksheet Reporting Year 2012

### Section XI: Adequate Public Facility Ordinance (APFO) Restrictions (Section IX is only required by jurisdictions with adopted APFOs)

(A) Does your jurisdiction have any adopted APFOs?

Y ☒ N ☐

1. If no, skip this Section.
2. If yes, go to (B).

(B) Has any APFO resulted in a restriction within the Priority Funding Area?

Y ☒ N ☐

1. If no, skip this Section.
2. If yes, then complete (C) – (I) below for each restriction.

(C) What is the type of infrastructure affected? (List each for Schools, Roads, Water, Sewer, Storm water, Health Care, Fire, Police or Solid Waste.)

Montgomery County's 2012 Subdivision Staging Policy is a growth management instrument that guides the timing of development and the provision of adequate public services. This policy implements a 1973 law, the Adequate Public Facilities Ordinance, which directs development to areas where public services are in place. The policy presents guidelines that govern where new development takes place, matching growth to the availability of public services like transportation and schools. The policy emphasized two types of APFO restriction for new development, restrictions based on school capacity and restrictions based on transportation capacity.

The 2009-2011 Growth Policy was renamed the "Subdivision Staging Policy" for 2012 and shifted from a two year to a four year cycle. In addition, the policy was expanded to look beyond its traditional emphasis on congestion relief and school capacity. Instead, it also focuses on ways to enhance quality of place in communities by encouraging the concentration of better mix services and housing near transit.

(D) Where is each restriction located? (Identify on a map if possible).

#### Schools:

School adequacy is determined for each school level (e.g., elementary, middle and high school). At any level, if projected school enrollment exceeds 105% of projected school capacity then residential development within the affected school cluster will be required to make a School Facility Payment (SFP). The SFP is based on the number of students generated by the proposed development and the cost of additional infrastructure needed to support it, which varies by school type. If projected enrollment exceeds 120% of projected capacity then the entire school cluster is in moratorium for residential development approvals. Residential development projects in the following PFA restricted school districts require fees for the purpose of expanding school capacity under the FY2012 Schools Test.

# Annual Report Worksheet

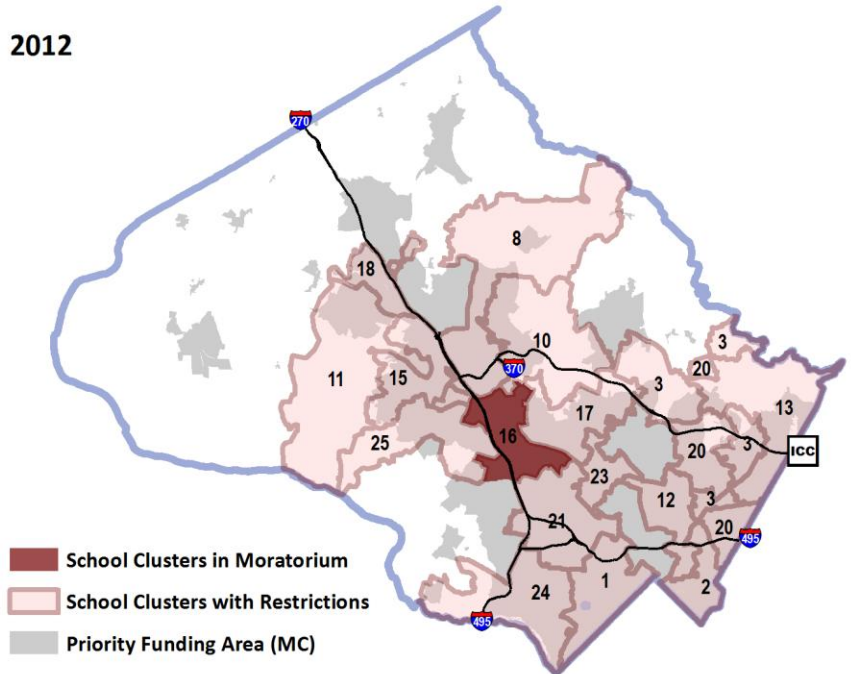
## Reporting Year 2012

Source: FY2012 Annual School Test, MCPS

### Restrictions (School Level):

- 1 Bethesda Chevy-Chase (HS)
- 2 Blair (MS)
- 3 Blake (ES, HS)
- 8 Gaithersburg (ES)
- 21 Walter Johnson (MS, HS)
- 10 Magruder (ES)
- 11 Northwest (ES, HS)
- 12 Northwood (HS)
- 13 Paint Branch (ES)
- 15 Quince Orchard (ES, HS)
- 17 Rockville (ES, MS)
- 18 Seneca Valley (ES)
- 20 Springbrook (MS)
- 23 Wheaton (MS)
- 24 Whitman (MS, HS)
- 25 Wootton (HS)

2012



### Moratorium:

- 16 Richard Montgomery (ES, MS)

### Transportation:

Montgomery County's Subdivision Staging Policy (formerly called the "Growth Policy") guides the timing of development and the provision of adequate public services. The policy implements a 1973 law, the Adequate Public Facilities Ordinance, which directs development to areas where public services are in place.

The Planning Board helps ensure basic amenities for both current – and future – residents. The Subdivision Staging Policy presents guidelines that govern where new development takes place, matching growth to the availability of public services like transportation and schools.

Learn more about the [2012 Subdivision Staging Policy](#), which introduced a new area-wide transportation test to balance the number of trips against the transportation infrastructure – transit, roads and pedestrian/cycling routes. This new test called Transportation Policy Area Review (TPAR) measures the impacts of development on traffic flow and transit capacity in each of the county's 30 traffic policy areas. TPAR establishes standards for roadway and transit adequacy and determines which policy areas meet those standards.



## Annual Report Worksheet Reporting Year 2012

TPAR sets different standards for transportation adequacy in urban, suburban and rural areas. If development is proposed in a policy area that does not meet the roadway or transit standards, the development must provide the needed capacity or make a TPAR payment.

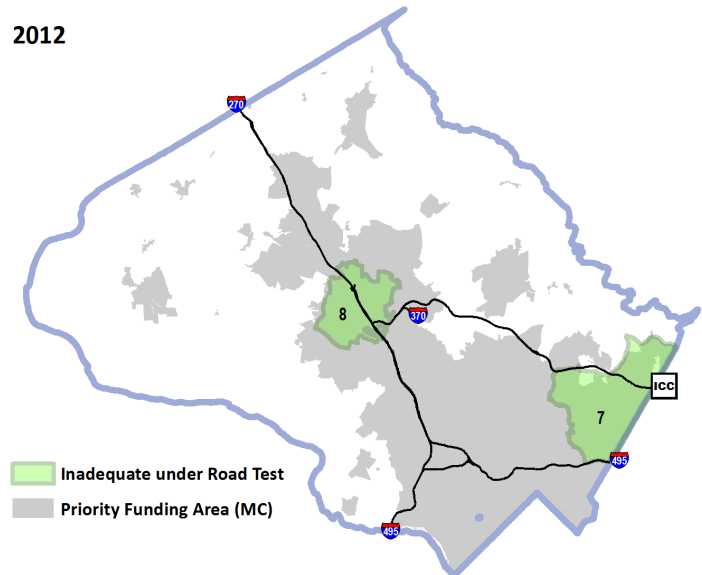
The **TPAR roadway analysis** uses a regional travel demand model to assess the adequacy of main roads in the peak direction of travel during the PM peak hour

### Policy Area

7 Fairland/White Oak

8 Gaithersburg City

2012



The **TPAR transit analysis** considers three facets of existing local bus transit service: Service Coverage, Peak Headways, and Span of Service.

### Policy Area

3 Bethesda/Chevy Chase

4 Cloverly

6 Derwood

9 Germantown East

10 Germantown West

11 Germantown Town Center

12 Kensington/Wheaton

13 Montgomery Village/Airpark

14 North Bethesda

15 North Potomac

16 Olney

17 Potomac

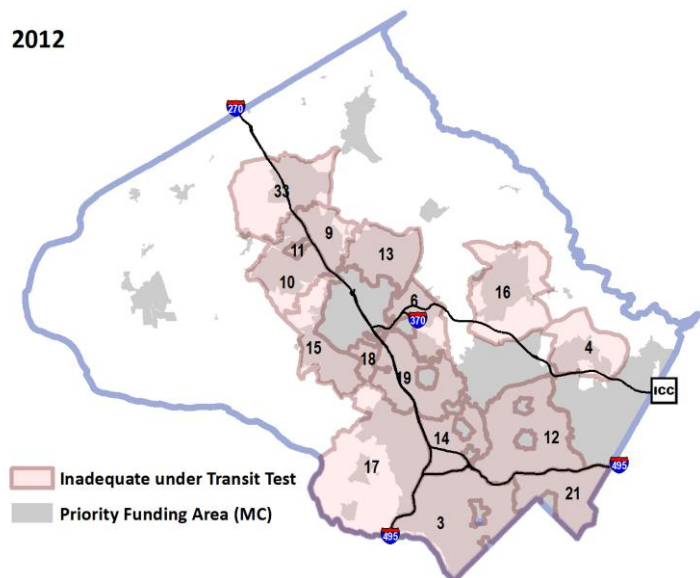
18 R&D Village

19 Rockville City

21 Silver Spring/Takoma Park

33 Clarksburg

2012



## Annual Report Worksheet Reporting Year 2012

**(E)** Describe the nature of what is causing each restriction.

School capacity restrictions are evaluated annually by the Department of public schools using student generation rates for Elementary, Middle and High school districts.

Similarly, road and transit capacities are evaluated on per County Policy areas. The test for these evaluations is now made by a "Transportation Policy Area Review" (TPAR) test as an element of the planning department's 4 year "Subdivision Staging Policy." The latest of these was adopted in 2012 and it identified a mitigation fee for many of the County's policy areas.

**(F)** What is the proposed resolution of each restriction (if available)?

In all of these cases, the restrictions result in mitigation fees to be collected prior to any plan approvals in the affected areas. In the case of road and transit facilities, the fees go to the County Department of Transportation where they are put towards the county CIP for road and bus route improvements which will factor into the next TPAR test.

**(G)** What is the estimated date for the resolution of each restriction (if available)?

**(H)** What is the resolution that lifted each restriction (if applicable)?

**(I)** When was each restriction lifted (if applicable)?

## Annual Report Worksheet Reporting Year 2012

### Section X: Submitting Annual Reports and Technical Assistance

- (A) Annual Reports may be submitted via email to [ddahlstrom@mdp.state.md.us](mailto:ddahlstrom@mdp.state.md.us) (preferred) or one copy may be mailed to:

Office of the Secretary  
Maryland Department of Planning  
301 W. Preston Street, Suite 1101  
Baltimore, Maryland 21201-2305  
Attn: David Dahlstrom, AICP

- (B) Annual Reports should include a cover letter indicating that the Planning Commission has approved the Annual Report and acknowledging that a copy of the Annual Report has been filed with the local legislative body. The cover letter should indicate a point of contact(s) if there are technical questions about your Annual Report.

1. Was this Annual Report approved by the planning commission/board? Y ☒ N ☐
2. Was this Annual Report filed with the local legislative body? Y ☒ N ☐
3. Does the cover letter:
  - a. Acknowledge that the planning commission/board has approved the Annual Report. Y ☒ N ☐
  - b. Acknowledge that the Annual Report has been filed with the local legislative body? Y ☒ N ☐
  - c. Indicate a point of contact(s)? Y ☒ N ☐

- (C) You may wish to send an additional copy of your Annual Report directly to your MDP Regional Office via email (preferred) or hardcopy.

- (D) If you need any technical assistance in preparing or submitting your reports, our Regional Planners are available to assist you. Regional Planner contact information can be found at:

<http://planning.maryland.gov/OurWork/localplanning.shtml>

- (E) If you have any suggestions to improve this worksheet or any of the annual report materials, please list or contact David Dahlstrom at [ddahlstrom@mdp.state.md.us](mailto:ddahlstrom@mdp.state.md.us).